

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	x	
UNITED STATES OF AMERICA,	:	
	:	
- v. -	:	NOTICE OF MOTION OF ROBERT
	:	COPLAN TO DISMISS COUNTS FIVE
	:	AND ELEVEN OF THE
ROBERT COPLAN,	:	SUPERSEDING INDICTMENT
MARTIN NISSENBAUM,	:	
RICHARD SHAPIRO,	:	(S1) 07 Cr. 453 (SHS)
BRIAN VAUGHN,	:	
DAVID SMITH, and	:	
CHARLES BOLTON,	:	ORAL ARGUMENT REQUESTED
	:	
Defendants.	:	
-----	x	

PLEASE TAKE NOTICE that upon the annexed declaration of Paula M. Junghans, Esq., counsel for the defendant Robert Coplan, and upon the accompanying Memorandum of Law, the defendant Robert Coplan will move this Court, before the Hon. Sidney H. Stein, United States District Judge for the Southern District of New York, at the United States Courthouse, 500 Pearl Street, New York, New York, at a time and date to be set by the Court, for an order dismissing Counts Five and Eleven of the superseding indictment for lack of venue. Mr. Coplan respectfully requests oral argument on the motion.

Mr. Coplan joins in the motions of other defendants being filed on May 5, 2008, to the extent applicable.

Dated: May 5, 2008

Zuckerman Spaeder LLP

/s/ Paula M. Junghans
Paula M. Junghans (admitted *pro hac vice*)
M. Sandy Weinberg (admitted *pro hac vice*)
Andrew N. Goldfarb (admitted *pro hac vice*)
1800 M Street, NW, Suite 1000

Washington, DC 20036-5802
Telephone: (202) 778-1800
Facsimile: (202) 822-8106
Attorneys for Robert Coplan

TO: Clerk of the Court
United States District Court
Southern District of New York
(By ECF)

LAUREN GOLDBERG, ESQ.
MARSHALL A. CAMP, ESQ.
Assistant United States Attorneys
Southern District of New York
(By ECF and Regular Mail)

ALL DEFENSE COUNSEL OF RECORD
(By ECF)

N.B. Counsel for Mr. Coplan understands that David Smith is a fugitive, and is thus unavailable to receive service of this Notice of Motion and accompanying papers.